

**SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM****SUBJECT:** Sky Eagle Cove Drainage & Utility Easement Vacate**DEPARTMENT:** Planning and Development **DIVISION:** Development Review**AUTHORIZED BY:** Dori DeBord**CONTACT:** Brian M. Walker**EXT:** 7337**MOTION/RECOMMENDATION:**

1. Adopt and authorize the Chairman to execute the Resolution to vacate and abandon a 2.9 by 25 foot portion of a 10 foot platted drainage and utility easement on lot 3, Aras Acres, recorded in the Public Records of Seminole County, Florida in Plat Book 62, Page 34 in Section 36, Township 19 S, Range 29 E, and further described as 1458 Sky Eagle Cove, Joseph Linartas applicant.
2. Deny the request to authorize the Chairman to execute the Resolution to vacate and abandon a 2.9 by 25 foot portion of a 10 foot platted drainage and utility easement on lot 3, Aras Acres, recorded in the Public Records of Seminole County, Florida in Plat Book 62, Page 34 in Section 36, Township 19 S, Range 29 E, and further described as 1458 Sky Eagle Cove, Joseph Linartas applicant.
3. Continue the public hearing until a time and date certain.

District 5 – Commissioner Carey

District 5 Brenda Carey

Brian Walker

BACKGROUND:

The applicant, Joseph Linartas, is requesting to vacate and abandon a 2.9 by 25 foot portion of a 10 foot wide platted drainage and utility easement located at 1458 Sky Eagle Cove. The reason for the request is in order to accommodate a shed type enclosure that will protect a water well and related equipment.

On February 25, 2008 the Board of Adjustment approved a variance to reduce the front and side yard property setbacks which will allow placement of the structure should this vacate request be approved.

Staff has reviewed the request and does not feel that the vacate will affect drainage or utilities in the area.

The applicant has provided letters from all applicable utility companies stating “no objections” to the vacate.

STAFF RECOMMENDATION:

Staff recommends the Board adopt and authorize the Chairman to execute the Resolution to vacate and abandon a 2.9 by 25 foot portion of a 10 foot platted drainage and utility easement on lot 3, Aras Acres, recorded in the Public Records of Seminole County, Florida in Plat Book 62, Page 34 in Section 36, Township 19 S, Range 29 E, and further described as 1458 Sky Eagle Cove, Joseph Linartas applicant.

ATTACHMENTS:

1. Sky Eagle Resolution.pdf
2. Exhibit A - Sketch of Description
3. Area Map
4. Location Map
5. Aerial Map

Additionally Reviewed By:

☒ County Attorney Review (David Shields)

RESOLUTION NO.: 2008-R-

THE FOLLOWING RESOLUTION WAS ADOPTED AT THE REGULAR MEETING OF THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA ON THE 10th DAY OF JUNE A.D., 2008.

**RESOLUTION TO VACATE AND ABANDON A
DRAINAGE EASEMENT**

Whereas, a Petition was presented on behalf of
J. LINARTAS

to the Board of County Commissioners of Seminole County, Florida, requesting the closing, vacating and abandoning of the following described drainage easement to-wit:

See Exhibit A – Sketch of Description

Whereas, after due consideration the Board of County Commissioners of Seminole County, Florida, has determined that the abandonment of the above described drainage easement is in the best interest of the County and the public.

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners of Seminole County, Florida, that the above described drainage easement be, and the same is hereby abandoned, closed and vacated, and that all right in and to the same on behalf of the County and the public is hereby disclaimed.

PASSED AND ADOPTED this 10th day of June A.D., 2008

ATTEST:

**BOARD OF COUNTY COMMISSIONERS
OF SEMINOLE COUNTY, FLORIDA**

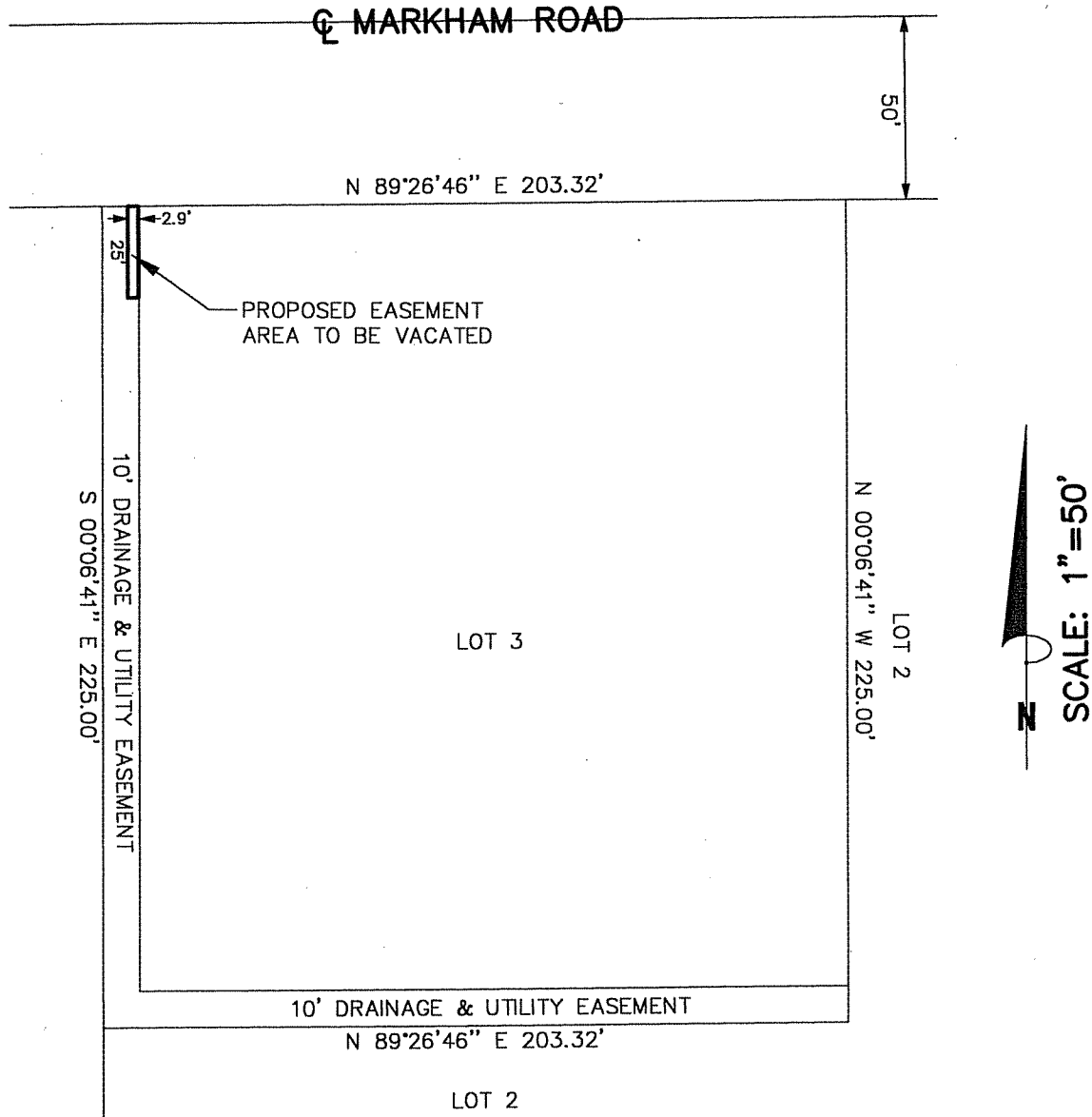
MARYANNE MORSE
CLERK OF THE CIRCUIT COURT
SEMINOLE COUNTY, FLORIDA

BY: **BRENDA CAREY**
CHAIRMAN

SKETCH OF DESCRIPTION
for
J. LINARTAS
Legal Description
of
PROPOSED EASEMENT TO BE VACATED

EXHIBIT A

The North 25.00 feet of the East 2.90 feet of that certain 10 foot drainage and utility easement located on the West side of Lot 3, ARAS ACRES, according to the plat thereof as recorded in Plat Book 62, Page 34, of the Public Records of Seminole County, Florida.



SURVEY NOTES:

- 1) This is not a "Boundary Survey", only a sketch of the above legal descriptions prepared by this surveyor.
- 2) Bearings shown hereon are based on the West Line of Lot 3, ARAS ACRES, being S.00°06'41"E. (per plat)
- 3) This legal description was prepared on 4 September 2007.

Prepared By:

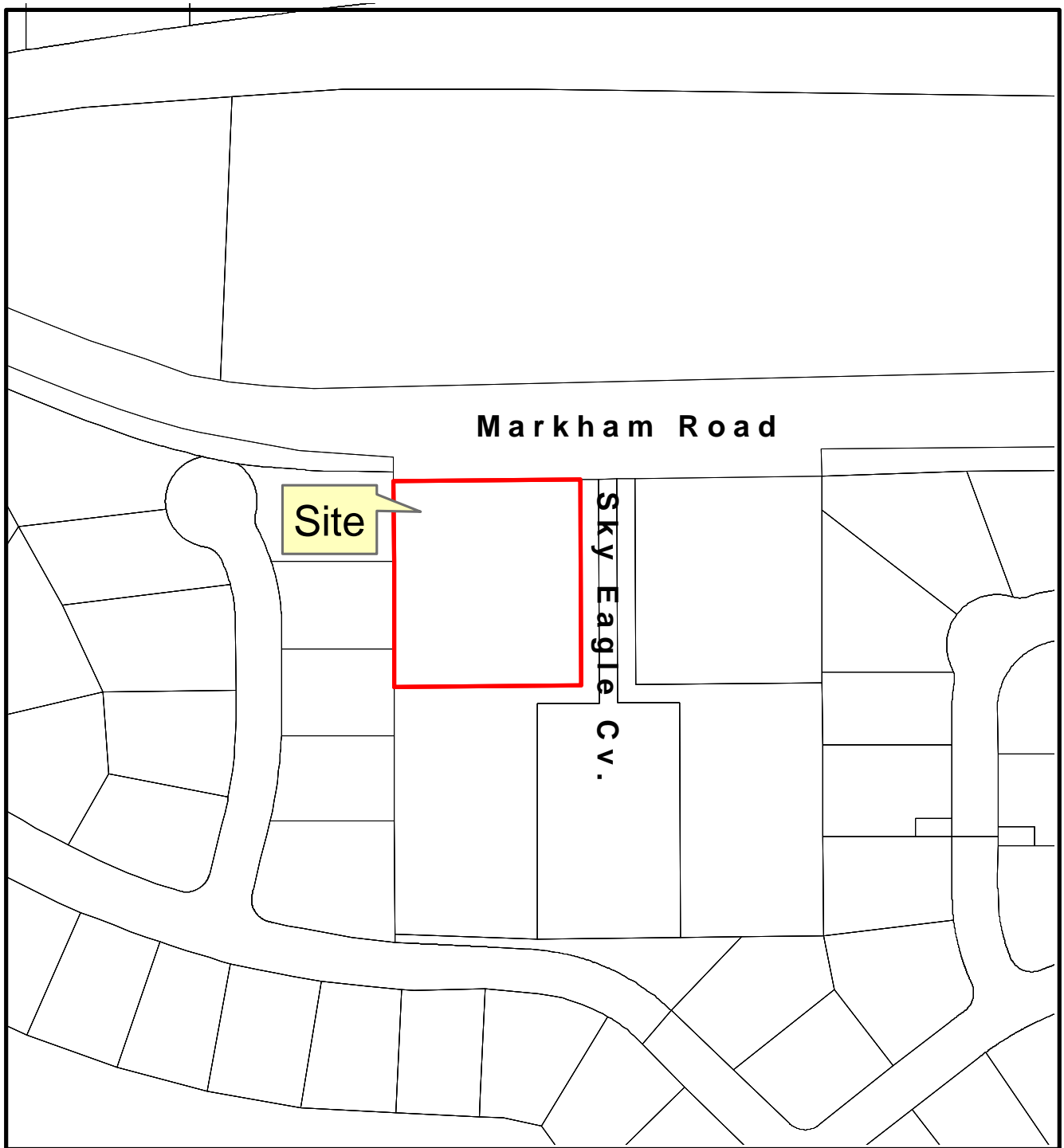
R. Blair Kitner

KITNER SURVEYING, INC.

R. BLAIR KITNER - F.S.M. No. 3382

P. O. Box 823 - Sanford, Florida 32772 (407) 322-2000

Not valid without raised seal of Surveyor



Sky Eagle Cv.
Utility & Drainage Vacate





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Utility & Drainage Vacate

